

REMARKS

Responsive to the Notice of Non-Compliant Amendment mailed May 19, 2006, Applicant re-submits the First Amendment documents filed on 13 February 2006 with the Claims to this Second Amendment dated on a separate sheet.

1. The previously submitted declaration provides written consent of all assignees owning an undivided interest in the patent. The objection under 37 CFR 1.172(a) should therefore be withdrawn.

2. The original letters patent accompanied the First Amendment. The objection under 37 CFR 1.178 should therefore be withdrawn.

3. Substitute sheets of the original formal patent drawings accompanied the First Amendment eliminating the proposed renumbered elements 22a from re-issue Figs. 1, 2, and 4 referred to in the cancelled new material contained in col. 4, lines 39-50. The rejection under 37 CFR 1.173(b) (3) should therefore be withdrawn.

4. A new reissue declaration identifying at least one error which is relied upon the support the reissue application accompanied the First Amendment. Consequently, the rejection of Claims 1-17 under 35 USC 251 should be withdrawn.

5. Col. 4, lines 39-15 of the specification were cancelled. The objection under 35 USC 132(a) should therefore be withdrawn.

6. Added Claim 8 was amended to eliminate the requirement of the side vents to release heat through the exposed top part of the iron as shown in Fig. 2 and described in column 2, lines 34-39. Column 2, lines 34-39 describes how the expandable side flaps are secured together to extend sufficiently around the sides of the iron to secure the iron cover there around with draw strings or other securing means:

“Attached to the padded bottom are [sic] a plurality of side flaps also covered by a heat resistant liner. The side flaps are expandably secured together to extend sufficiently around the sides of the iron to secure the iron cover there around with draw strings or other securing means.”

Thus, the exposed uncovered upper segments of the iron are used to dissipate heat without the need for side flaps. Consequently a new Claim 8 following the wording of the original Claim 1 was added deleting its limiting language of the original claims: “and structured to define a plurality of heat release vents”. The added Claim 8 is therefore supported by the

specification, drawings, and claims, and adds no new subject matter. The rejection of Added Claim 8, as amended, under 35 USC 112 should therefore be withdrawn.

7. Added Claim 9, dependent upon Added Claim 8, is directed to a cover with the shape of a conventional iron having a pointed end is based on the language of column 3, lines 41-44 language:

“Other iron cover shapes may be employed as long as they are sufficient to cover the sole of the iron to protect it from dirt, scratches, dents or other impact damage, which mar the iron sole surface.”

The 35 USC 112 rejection of Added Claim 9, as amended, should therefore also be withdrawn.

8. Added Claim 10, dependent upon Added Claim 9 is directed to a cover shaped to accommodate a conventional angle iron having a pointed end with side flaps defining side vents, which is supported by the language of column 2, lines 39-43:

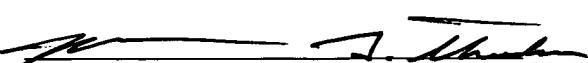
“Each side flap is separated and structured when folded about the iron to define side heat release vents there between to allow heat to escape from the cooling hot iron placed therein for storage.”

The 35 USC 112 rejection of Added Claim 9, as amended, should therefore also be withdrawn.

9. Added Claims 11-17 drawn to new matter were cancelled.

In view of the above amendments, Claims 1 through 10, as amended, should therefore be approved for issuance. If additional amendments are required, a telephonic discussion with the Examiner is requested.

Dated this 26th day of May 2006.

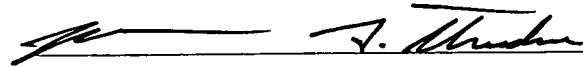


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CERTIFICATE OF MAILING

I certify that I mailed a true and correct copy of the foregoing Second Amendment;

postage prepaid, to Examiner David T. Fidei on behalf of the Commissioner for Patents,
Washington, D.C. 20231, this 26th day of May 2006.

A handwritten signature consisting of two parts: a stylized 'T' or 'F' followed by a cursive 'Strubbe'.